

REMARKS

Claims 1-5 are pending in the application. Claim 1 is amended. Claims 3 and 4 are canceled. Claims 6-9 are added. See page 11, lines 11-18 for support. No new matter is added.

Entry of the amendment along with reconsideration and review of the claims on the merits are respectfully requested.

Response to Claim Rejections - 35 U.S.C. § 112, second paragraph

Claims 1-5 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

With respect to claim 1, the Examiner finds it unclear how the two performance parameters found in lines 5-6 of claim 1 are connected to the remaining claim structure, i.e., the language chosen is assertedly “vague and indefinite due to lack of suitable antecedent basis which currently exists in the claim.”

For clarification, claim 1 is amended to recite that a “maximum stress at an elongation of not more than 50% of the pressure -sensitive adhesive tape is larger than a stress at break, etc.

Claims 3 and 4 are canceled.

Reconsideration and withdrawal of this rejection are respectfully requested.

Response to Claim Objections - 35 U.S.C. § 112, first paragraph

A. Specification

The specification is objected to under 35 U.S.C. §112, first paragraph, for alleged lack of written description support and an enabling disclosure. The Examiner cites as partial bases for the objection, the reasons set forth in Paragraph No. 4 of the Office Action dated May 2, 2005.

In addition, the Examiner specifies in the present Action (January 10, 2006), that each of the four Examples or Comparative Examples previously referred to have slightly differing densities and maintains that this does not adequately explain the substantially differing quality of the results obtained. The Examiner concludes that the specification does not teach "how to make" the invention for reasons of record.

As previously argued in the Amendment submitted October 28, 2005, the meaning of the phrases "the maximum stress at an elongation of not more than 50% is larger than the stress at break" and "an elongation at break is from 100 to 300%", is apparent in view of the specification, for example Figure 1 and page 7, which clearly exemplifies and describes the requirements of these claims.

Applicants submit further that in the stress-strain curve according to Figure 1, when the tensile elongation increases in the region of from 0 to about 50%, the stress rapidly rises; thereafter, the stress gradually decreases with an increase of the tensile elongation; and the pressure-sensitive adhesive tape causes breakage at a tensile elongation of about 150%. Thus, in the present invention, it is important that (1) a maximum stress at an elongation of not more than 50% is larger than a stress at break and that (2) an elongation at break is from 100 to 300%. (see page 7, lines 10-19).

To further clarify each of these phrases recited in claim 1, claim 1 is amended to specify that it is the pressure-sensitive adhesive tape which has these quantitative measurements and propose separating each of the distinct elements using the connector "wherein."

In paragraph 3 of the Action, the Examiner asserts that, for each of the four referred to

Examples or Comparative Examples, the various comparative embodiments "are formed from virtually the identical blend of LDPE and HDPE in a ratio 70% LDPE/ 30% HDPE as that of Example 2." Applicants respectfully disagree and emphasize that in each of Comparative Examples 1, 3 and 5, LDPE having a density of more than 0.919 g/cm³ was used (i.e., the density for the LDPE's in Comparative Examples 1, 3 and 5 are 0.922 g/cm³, 0.922 g/cm³, and 0.926 g/cm³ respectively). Table 1 below is based on pages 18-21 of the specification and provided for clarification.

Table 1

	Grade	Density g/cm ³	Example 1	Comp. Ex. 1	Comp. Ex. 3	Comp. Ex. 5
LDPE1	G201	0.919	70			
LDPE2	F218-0	0.919				
LDPE3	G401	0.926				70
LDPE4	F102-0	0.922		70	70	
HDPE1	2200J	0.964	30	30		30
HDPE2	5000SF	0.956			30	

Accordingly, claim 1 is amended to incorporate the density range of the LDPE in the LDPE/HDPE blend having a density of 0.919g/cm³ or lower. See Example 2 and page 11, lines 15-18. Such a density range for the LDPE permits achievement of the benefits of the present invention.

Further, the specification describes how to make the pressure-sensitive adhesive tape comprising plastic film containing the LDPE/HDPE blends according to the present invention from at least the Examples given in the specification.

Applicants respectfully request that the objection be withdrawn in view of the foregoing discussion and amendments.

Additionally, while Applicants disclose preferred density ranges for the LDPE of from 0.880 g/cm³ to 0.919 g/cm³, and more preferably from 0.910 g/cm³ to 0.919 g/cm³ (see page 11, lines 15-18), the density ranges for the LDPE of the Comparative Examples 1, 3 and 5 also fall within each of the disclosed preferred density ranges. Based on this disclosure and the density value in Example 2, additional dependent claims 6 and 7 are added to recite density ranges for the LDPE of from 0.880 g/cm³ to 0.919 g/cm³, and from 0.910 g/cm³ to 0.919 g/cm³.

Based on the preferred density ranges of the HDPE of from 0.940 g/cm³ to 0.970 g/cm³, and more preferably from 0.950 g/cm³ to 0.965 g/cm³ disclosed at page 11, lines 11-14, dependent claims 8 and 9 are added.

B. Claims 1-5

Claims 1-5 are rejected under 35 U.S.C. §112, first paragraph as being based upon an allegedly non-enabling disclosure.

Applicants respectfully traverse this rejection for the reasons set forth under section "A" above.

Response to Claim Rejections - 35 U.S.C. § 103

Claims 1-5 are rejected under 35 U.S.C. §103(a) as assertedly being unpatentable over either Chang or Brown et al '957, each taken in view of Ishikawa et al, substantially for the reasons set forth in Paragraphs 9 and 10 of the Office Action dated May 2, 2005. In addition the

Examiner states that each of the primary references teach the use of polyolefin based films, i.e. either polyethylene and/or polypropylene, so that a skilled artisan would be motivated to combine with Ishikawa et al which teaches a variety of polyolefin based copolymer compositions which can encompass such polymer film blends as Applicants' claim. The Examiner notes further that both Ishikawa et al (e.g. column 4, lines 66-68) as well as Brown et al (Example 1 at column 4, lines 35-39) teach the use of fillers in the film layer, the exact amount of which is believed to be a routine optimization for one of ordinary skill, if not already disclosed by Brown et al.

With respect to Applicants' remarks in the Response of October 28, 2005 at page 9, second paragraph, the Examiner states that while Brown et al teaches an elongation amount of only 40-80%, this measurement is assertedly made when polypropylene is the material from which the plastic film of Brown et al is made, not the HDPE/LDPE film of the relied upon prior art combination.

The incorporation of a density range for at least the LDPE component to claim 1 as amended herein, is submitted to overcome any basis for the obviousness rejection. Neither Chang nor Brown discloses or teaches a density range for the LDPE equal to or less than 0.919 g/cm³. Further, the density values of 0.920 g/cm³ and 0.960 g/cm³, disclosed by Ishikawa (see Table 3, column 8) each fall outside the presently incorporated density range for the LDPE .

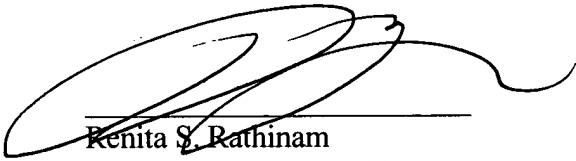
Accordingly, Applicants respectfully request reconsideration and withdrawal of the obviousness rejection.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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